

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDRE HORTON, *as Proposed
Administrator of the Estate of Virginia Horton,*

Plaintiff,

-against-

BRONX HARBOR HEALTH CARE
COMPLEX INC., ABC CORPORATION, and
ABC PARTNERSHIP,

Defendants.

ORDER

22 Civ. 6763 (ER)

Ramos, D.J.:

On April 13, 2022, Andre Horton brought this action in the Supreme Court of the State of New York, County of Bronx, alleging that the negligence of Bronx Harbor Health Care Complex, Inc. (“Bronx Harbor”) in safeguarding against the spread of COVID-19 resulted in the death of his mother, Virginia Horton. Bronx Harbor removed the case to this Court on August 9, 2022. Doc. 1.

For the reasons set forth during the pre-motion conference held on September 20, 2022, this case is stayed pending the Second Circuit's resolution of *Leroy v. Hume*, Nos. 21-2158, 21-2159 (cons.), and *Rivera-Zayas v. Our Lady of Consolation Geriatric Care Center*, No. 21-2164. The parties are instructed to file a joint status report within 48 hours of the Second Circuit's decision on those appeals.

It is SO ORDERED.

Dated: September 20, 2022
New York, New York



Edgardo Ramos, U.S.D.J.